

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of MASON LUKE JAMES  
MOLLHAGEN and SHIANNE MAKENZIE  
NICOLE MOLLHAGEN, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SHANNON NICOLE HINDMAN,

Respondent-Appellant,

and

MARK JAMES MOLLHAGEN,

Respondent.

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UNPUBLISHED

October 23, 2003

No. 247923

Saginaw Circuit Court

Family Division

LC No. 01-027285-NA

Before: Bandstra, P.J., and Hoekstra and Borrello, JJ.

**MEMORANDUM.**

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), (h), (j), and (n). We affirm.

Pursuant to MCL 712A.19b(5), if the court finds that there are grounds for termination of parental rights, termination shall be ordered, unless the court finds that termination of parental rights is not in the children's best interests. Respondent-appellant concedes that there existed statutory grounds for termination, however she argues that because there were relatives willing to care for the children, evidence was presented that termination was not in the children's best interests. We disagree.

Respondent-appellant's assertion that she adequately provided for her children's care while she served the sentences imposed following her convictions for second-degree murder and child endangerment is unsupported by the record. The family member respondent-appellant offered as a caregiver, the children's paternal grandmother, was inappropriate and the care plan lacked the permanency the children desperately deserved. Clearly, the children's need for

permanency and stability, which could be achieved through termination of parental rights and subsequent adoption, was outweighed in this case by any preference for placing children with family members. The trial court did not err when it found no basis upon which to conclude that termination would not be in the children's best interests.

Affirmed.

/s/ Richard A. Bandstra

/s/ Joel P. Hoekstra

/s/ Stephen L. Borrello